BEFORE THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR (CHHATTISGARH)

WRIT PETITION NO. 2421 /2002

PETITIONER : JAYANT MUKHERJEE, S/O. LATE S.K. MUKHERJEE, AGED ABOUT 47, WORKING AS DATA ENTRY OPERATOR IN THE OFFICE OF DEPUTY COMMISSIONER LAND RECORD, BILASPUR DISTRICT-BILASPUR (CHHATTISGARH)

V E R S U S

RESPONDENTS : 1. STATE OF CHHATTISGARH, THROUGH: SECRETARY, REVENUE DEPARTMENT, D.K.S. BHAWAN, RAIPUR, DISTRICT RAIPUR (CHHATTISGARH).

2. THE COMMISSIONER LAND RECORD, RAIPUR, DISTRICT RAIPUR (CHHATTISGARH).

3. THE DEPUTY COMMISSIONER LAND RECORD, BILASPUR, DISTRICT – BILASPUR (C.G.).

P.R. No. 943 3/12
Presented by Shri A. Bansal, Advocate
dated 30.10.02

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

(36)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No. 2421 सन् / 2002

.....विरुद्ध.....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	02.01.2003 Shri Azad Siddiqui, counsel for the petitioner. Shri Sanjay K. Agrawal, Dy. A.G. for the State. Heard. Having heard learned counsel for the petitioner, the Court is not inclined to entertain the writ petition in which the order of transfer is the subject matter of challenge. As it appears from the record, the petitioner was posted at Bilaspur since last many years. Vide order-dated 24.10.2002 he has been transferred to Mahasamund. Aggrieved therewith, the petitioner has approached this Court for relief. Admittedly, this is not a case of frequent transfers nor it is contended that the petitioner does not hold a transferable post. In that view of the matter and considering the fact that transfer is an incidence of service and it is for the employer to decide where a particular employee is to be posted, the Court does not consider this to be a fit case in which any interference is called for. It was then contended that the transfer is in the	

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mid-session and going to place of transfer will disrupt the family. But, admittedly the petitioner's wife is posted at Bilaspur and as such the question of children requiring to move out of Bilaspur will not arise. At any rate, the petitioner, if so advised, may approach the authorities for deferring the transfer for a month or two. The question of setting aside the order of transfer does not arise.

With the aforesaid observation, the petition is dismissed.

Consequently, M.W.P.No.1464/02 for stay and I.A.No.7569/02 for urgent hearing also stand disposed of.

Sd/-
P.C NAIK
Judge

Anjani